

MICHAEL R. SNEDEKER, CSB# 62842
Snedeker, Smith & Short
Attorneys at Law
PMB 422
4110 S.E. Hawthorne Blvd.
Portland, Oregon 97214
Telephone: (503) 234-3584
Fax: (503) 232-3215
Email: m.snedeker@comcast.net

HAROLD ROSENTHAL, CSB# 68380
Attorney at Law
803 Hearst Avenue
Berkeley, CA 94710
Telephone: (510) 981-1800
Fax: (510) 981-1821
Email: harold@haroldrosenthal.com

Attorneys for Petitioner
GREGORY CALVIN SMITH

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

GREGORY CALVIN SMITH,) NO. 3:04-CV-03436-CRB
Petitioner,) DEATH PENALTY CASE
v.) STIPULATED CONTINUANCE
ROBERT AYERS, Warden,)
San Quentin State Prison,)
Respondent.)

STIPULATION

The parties, by and through their attorneys of record, hereby stipulate:

*Stipulated Continuance
No. 3:04-CV-03436-CRB*

1 1. The petition filed on behalf of Gregory Calvin Smith does not comply with
2 Local Rule 2254-28(b)(4).

3 2. Counsel for petitioner will review the petition, identify where in the record
4 each claim was exhausted in state court, if the claim was exhausted, and make appropriate
5 revisions to the petition.

6 3. Counsel will complete and file the revised petition by January 20, 2010. At
7 that time, the presumptive schedule contemplated by Local Rule 2254-29 will start to run.

8
9 Dated: _____

/s/ Michael Snedeker

10
11 MICHAEL R. SNEDEKER
12 Attorney for Petitioner

13 Dated: _____

/s/ Harold Rosenthal

14
15 HAROLD ROSENTHAL
16 Attorney for Petitioner

17 Dated: _____

/s/ Lisa Ashley Ott

18
19 LISA ASHLEY OTT
20 Attorney for Respondent

21 PURSUANT TO STIPULATION, IT IS SO ORDERED.

22 Dated: December 16, 2009

